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Filing date: **07/09/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91205331
Party	Defendant Kerry Earnhardt, Inc.
Correspondence Address	ROBERT H CAMERON ROBINSON BRADSHAW & HINSON 101 N TRYON ST, STE 1900 CHARLOTTE, NC 28246-0106 UNITED STATES rcameron@rbh.com
Submission	Motion to Extend
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Date	07/09/2012
Attachments	91205331 eot filing-180847.pdf (3 pages)(76232 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Trademark Application
Serial No. 85/393,910
Filed: July 28, 2011
Trademark: EARNHARDT COLLECTION
Published: January 17, 2012

Teresa H. Earnhardt

Opposer,

v.

Kerry Earnhardt, Inc.

Applicant.

Opposition No. 91205331

**JOINT MOTION TO EXTEND ANSWER DEADLINE THIRTY (30) DAYS AND
RESCHEDULE DISCOVERY AND TESTIMONY PERIODS**

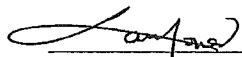
Opposer and Applicant hereby agree and stipulate as follows:

1. The Answer is currently due on July 8, 2012. Applicant Kerry Earnhardt, Inc. shall have until August 7, 2012 to file its Answer.
2. The current close of discovery, which is set for February 3, 2013 shall therefore be extended, upon entry of this Motion by the Board, up to and including March 5, 2013.
3. The resetting of the close of discovery results in the rescheduling of the testimony periods. *See* 37 C.F.R. 2.121(a)(1). The Plaintiff's Testimony Period shall close on June 3, 2013; Defendant's Testimony Period shall close on August 2, 2013; Plaintiff's Rebuttal Period closes September 16, 2013.

This request is made in good faith and in order to provide the parties with additional time to consult with counsel. This request is not being filed for the purpose of mere delay; favorable consideration of this request is respectfully requested.

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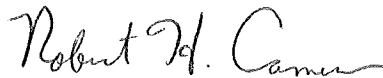
Respectfully submitted,



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Attorney for Opposer, Teresa H. Earnhardt

Dated: July 9, 2012



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Attorney for Applicant Kerry Earnhardt, Inc.

Dated: July 9, 2012

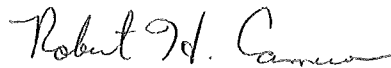
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **JOINT MOTION TO EXTEND ANSWER DEADLINE THIRTY DAYS AND RESCHEDULE DISCOVERY AND TESTIMONY PERIODS** was sent by e-mail on July 9, 2012 to:

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Dated: 7/9/2012

Respectfully submitted,



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